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Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Written statement* submitted by the Khiam Rehabilitation Center for Victims of Torture, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[16 August 2018]

* Issued as received, in the language(s) of submission only.

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Human Trafficking in Bahrain••

Introduction

Human trafficking is a crime is punishable under international law. It does not stand in a particular country and its victims are millions of people including women, children and men who are exploited for various purposes such as forced labor and prostitution. The International Labor Organization estimates (ILO) estimates the number of victims of trafficking in persons at 21 million.

According to reports from the United Nations and the US State Department, 11 million women and girls and 9 million men and children work under harsh conditions. As a result, the United Nations urges all States to seek to prevent and punish trafficking in persons as well as to save and protect its victims. Failure to do so is considered to violate the human rights and fundamental freedoms of victims.

While Bahrain has recently made some progress regarding the Kafala system, the luring of victims through false promises to earn money from workers seeking to get to work in the Kingdom is still ongoing. This includes issuance of low wages, confiscation of migrant workers' passports, physical, psychological and sexual attacks as well as the exploitation of bulk labor.

Victims of trafficking are often deluded to work in the Kingdom through empty promises of attractive salaries and better life conditions. As a consequence, foreign workers often borrow money or sell their property in their own countries and upon their arrival in Bahrain, but still find themselves without work. Victims of trafficking are thus enticed by deceit or coercion and deprived of their independence and freedom of movement and choice.

Current legal system regarding human trafficking in Bahrain

Since 2006, the Labor Market Regulatory Authority (LMRA) has been the body responsible for work permits for foreign workers in Bahrain. It has contributed to the development of programs and laws which aim to ensure workers are able to move from one job to another, and employers prohibited from confiscating their passports.

Bahrain has also promulgated Law No. (1) of 2008 on trafficking in persons, which includes the notion of crime of trafficking in persons and its penalty. This law prohibits all forms of trafficking in persons and imposes penalties ranging from 3 years to 15 years' imprisonment. It also designates the National Committee to Combat Human Trafficking. Still, these recent developments do not ensure basic protection of domestic servants. Tools of supervision and inspection have not been applied to them, leading many women to work long hours without interruption.

Exploitation of domestic servants

Indeed, maids in Bahrain have become female prisoners and are often not allowed to communicate with their family. Upon their arrival in Bahrain, their passports and personal documents are immediately confiscated, leaving them unable to return to their countries.

Moreover, full knowledge of their rights is limited, considering they are obliged to sign contracts in a language they do not understand. As a result, their visa often expires and is renewed without their knowledge or consent. No law currently obliges homeowners to transfer the salary of the maid to a bank account that guarantees her rights if she claims not to receive her wages. Since payslips are being signed by the owners in a language maids are unfamiliar with, they often cannot prove being unpaid and are afraid of filing complaints, particularly if homeowners are influential people working for the State or in the military.

Indeed, some influential people in Bahrain are involved in trafficking in persons, where they, through brokers abroad, delude women to work as waitresses in hotel restaurants or to earn good salaries in different sectors and after their arrival in Bahrain. This results in these women paying important sums of money to brokers in their countries, thus exposing them to blackmail and prostitution in some hotels. This, in turn, leads to violations of workers' rights and to impunity in cases of trafficking.

In addition to this, it should be noted that the offices of the agencies in charge of recruiting maids sometimes place them in detention following their refusal to work in homes where they are being mistreated. In case of escape, the employer

may submit an escape complaint against the maid, which is turned into an offender rather than a victim. In the case of surrender or arrest, authorities place them in detention until their deportation.

Recommendations

To the government of Bahrain:

1. Tightening the supervision of recruitment agencies,
2. Periodically inspecting houses and checking on maids,
3. Informing maids of their rights and means of communication with government agencies and embassies of their countries, in their native languages,
4. Developing domestic legislation and laws criminalizing human trafficking, including domestic servants,
5. Implementing these laws to all, including influential in the state and members of the ruling family,
6. Establishing shelter centers for victims of human trafficking for the duration of their settlement rather than detention in detention centers in police stations,
7. Activating committees for continuous monitoring and inspection of houses
8. Reviewing the life conditions of maids periodically and effectively.

**Salam for democracy and Human Rights, NGO without consultative status, also shares the views expressed in this statement.